

**Article 9. ADMINISTRATOR CERTIFICATION TRAINING PROGRAMS****85090 INITIAL CERTIFICATION TRAINING PROGRAM APPROVAL REQUIREMENTS 85090**

- (a) Initial Certification Training Programs shall be approved by the Department prior to being offered to applicants seeking certification.
- (b) Any vendor applicant seeking approval of an Initial Certification Training Program shall submit a written request to the Department using forms LIC 9140 and LIC 9141, or a replica. The request shall be signed under penalty of perjury and contain the following:
  - (1) Name, address and phone number of the vendor applicant requesting approval and the name of the person in charge of the program.
  - (2) Subject title, classroom hours, proposed dates, duration, time, location and proposed instructor of each component.
  - (3) Written description and educational objectives for each component.
  - (4) Qualifications of each proposed instructor as specified in Section 85090(i)(6) below.
  - (5) Geographic areas in which the Training Program will be offered.
  - (6) Types of records to be maintained, as required by Section 85090(i)(4) below.
  - (7) A statement of whether or not the vendor applicant held or currently holds a license, certification or other approval as a professional in a specified field and the certificate or license number(s).
  - (8) A statement of whether or not the vendor applicant held or currently holds a community care facility license or was or is employed by a licensed community care facility and the license number.
  - (9) A statement of whether or not the vendor applicant was the subject of any administrative, legal or other action involving licensure, certification or other approvals as specified in Sections 85090(b)(7) and (8) above.
  - (10) A processing fee of one hundred-fifty dollars (\$150).

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- (c) Initial Certification Training Program approval shall expire two (2) years from the date the program is approved.
- (d) A written request for renewal of the Initial Certification Training Program shall be submitted to the Department using forms LIC 9140 and LIC 9141, or a replica, and shall contain the information and processing fee specified in Section 85090(b) above.
- (e) If a request for approval or renewal of an Initial Certification Training Program is incomplete, the Department shall, within thirty (30) days of receipt, give written notice to the vendor applicant that:
  - (1) The request is deficient, describing what documents are outstanding and/or inadequate, and informing the vendor applicant that the information must be submitted within thirty (30) days of the date of notice.
- (f) If the vendor applicant does not submit the requested information within thirty (30) days, the request for approval or renewal shall be deemed withdrawn provided that the Department has not denied or taken action to deny the request.
- (g) Within thirty (30) days of receipt of a complete request for an approval, the Department shall notify the vendor applicant in writing whether the request has been approved or denied.
- (h) The Initial Certification Training Program shall consist of the following components:
  - (1) A minimum of thirty-five (35) classroom hours on a uniform Core of Knowledge with the following basic curriculum:
    - (A) Six (6) hours of instruction in laws, including residents' personal rights, regulations, policies, and procedural standards that impact the operations of adult residential facilities.
    - (B) Three (3) hours of instruction in business operations.
    - (C) Three (3) hours of instruction in management and supervision of staff.
    - (D) Four (4) hours of instruction in the psychosocial needs of the facility residents.
    - (E) Three (3) hours of instruction in the use of community and support services to meet residents' needs.
    - (F) Four (4) hours of instruction in the physical needs of facility residents.

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- (G) Four (4) hours of instruction in the administration, storage, use, prevention of misuse and interaction of drugs commonly used by facility residents.
- (H) Four (4) hours of instruction on admission, retention, and assessment procedures.
- (I) Four (4) hours of instruction on nonviolent crisis intervention techniques and reporting requirements.

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- (J) Topics within the basic curriculum may include, but not be limited to, topics as specified in the Department's Core of Knowledge Guidelines for each of the nine (9) Core of Knowledge components specified in Section 85090(h)(1)(A) through (I) above. The guideline is available from the Department upon request.
- (K) Core of Knowledge information will be derived from a variety of sources governing the operation of licensed adult residential facilities, including but not limited to, pertinent statutory provisions of the Health and Safety Code, Welfare and Institutions Code, Education Code, Business and Professions Code, Penal Code, and applicable provisions of Title 22 of the California Code of Regulations, Sections 80000 et seq.

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- (2) A standardized test administered by the Department.
  - (A) Individuals completing an Initial Certification Training Program must pass the test with a minimum score of seventy percent (70%).
  - (B) The test questions shall reflect the hour value of the nine (9) Cores of Knowledge areas specified in Section 85090(h)(1)(A) through (I) above.
- (i) Initial Certification Training Program vendors shall:
  - (1) Offer all thirty-five (35) of the classroom hours required for certification.
    - (A) A minimum of ten (10) hours of instruction must be provided by instructor(s) who meets the criteria specified in Section 85090(i)(6)(D).
      - 1. Where good faith efforts to employ an instructor who meets the criteria specified in Section 85090(i)(6)(D) are unsuccessful, vendors may apply to the administrator certification section for a waiver of this requirement.

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- (2) Establish a procedure to allow participants to make up any component necessary to complete the program.
- (3) Submit to the Department within seven (7) days of determination the names of individuals who have completed thirty-five (35) hours of classroom instruction.
- (4) Maintain and ensure that written records are available for review by Department representatives. Records shall be maintained for (3) three years. The records shall include the following information:
  - (A) Course schedules, dates and descriptions.
  - (B) List of instructors and documentation of qualifications of each, as specified in Section 85090(i)(6) below.
  - (C) Names of registered participants and documentation of completion of the program.
  - (D) Evaluations by participants of courses and instructors.
- (5) Ensure that all classes are open to monitoring and inspection by Department representatives.
- (6) Have instructors who have knowledge and/or experience in the subject area to be taught and who meet at least one of the following criteria:
  - (A) Possession of a four (4) year college degree and two (2) years experience relevant to the course(s) to be taught, or
  - (B) Four (4) years experience relevant to the course(s) to be taught, or
  - (C) Be a professional in a related field with a valid license to practice in California, or
  - (D) Have at least four (4) years experience in California as an administrator of an adult residential facility, within the last eight (8) years, and with a record of administering facilities in substantial compliance, as defined in Section 80001s.(6).

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- (j) Initial Certification Training Program Vendors shall allow Department representatives to monitor and inspect training programs.
- (k) Initial Certification Training Program vendors shall not instruct or "co-locate" more than one program type (ARF, RCFE, GH) at one time.
- (l) Initial Certification Training Program vendors that are also seeking certification shall not be permitted to receive credit for attending the vendor's own Initial Certification Training Program.

NOTE: Authority cited: Sections 1530 and 1562.3(i), Health and Safety Code; and Section 15376, Government Code. Reference: Sections 1551 and 1562.3, Health and Safety Code.

85090.1	<b>DENIAL OF REQUEST FOR APPROVAL OF AN INITIAL CERTIFICATION TRAINING PROGRAM</b>	85090.1
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- (a) The Department may deny a request for approval of an Initial Certification Training Program in accordance with Section 1562.3(h)(1) of the Health and Safety Code. The Department shall provide the applicant with a written notice of the denial.

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Health and Safety Code Section 1562.3(h)(1) reads in pertinent part:

The Department may deny vendor approval to any agency or person in any of the following circumstances:

(A) The applicant has not provided the Department with evidence satisfactory to the Department of the ability of the applicant to satisfy the requirements of vendorization set out in the regulations adopted by the department pursuant to subdivision (i).

(B) The applicant person or agency has a conflict of interest in that the person or agency places its clients in adult residential facilities.

(C) The applicant public or private agency has a conflict of interest in that the agency is mandated to place clients in adult residential facilities and to pay directly for the services. The Department may deny vendorization to this type of agency only as long as there are other vendor programs available to conduct the certification training programs and conduct education courses.

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**85090.1 DENIAL OF REQUEST FOR APPROVAL OF AN INITIAL  
CERTIFICATION TRAINING PROGRAM (Continued)****85090.1**

- (b) The applicant may appeal the denial of the application in accordance with Section 1551 of the Health and Safety Code.
- (c) Any request for approval submitted by a vendor applicant whose application has been previously denied shall be processed by the Department in accordance with the provisions of Health and Safety Code Section 1520.3(b).

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Health and Safety Code Section 1520.3(b) reads in pertinent part:

(b) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant had previously applied for a license under any of the chapters listed in paragraph (1) of subdivision (a) and the application was denied within the last year, the department shall cease further review of the application as follows:

(1) In cases where the applicant petitioned for a hearing, the department shall cease further review of the application until one year has elapsed from the effective date of the decision and order of the department upholding a denial.

(2) In cases where the department informed the applicant of his or her right to petition for a hearing and the applicant did not petition for a hearing, the department shall cease further review of the application until one year has elapsed from the date of the notification of the denial and the right to petition for a hearing.

(3) The department may continue to review the application if it has determined that the reasons for the denial of the applications were due to circumstances and conditions which either have been corrected or are no longer in existence.

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NOTE: Authority cited: Sections 1530 and 1562.3(i), Health and Safety Code. Reference: Sections 1520.3, 1551, and 1562.3, Health and Safety Code.

85090.2	<b>REVOCATION OF AN INITIAL CERTIFICATION TRAINING PROGRAM</b>	85090.2
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- (a) The Department may revoke an Initial Certification Training Program approval and remove the vendor from the list of approved vendors if the vendor does not provide training consistent with Section 85090, or
- (1) Is unable to provide training due to lack of staff, funds or resources, or
  - (2) Misrepresents or makes false claims regarding the training provided, or
  - (3) Demonstrates conduct in the administration of the program that is illegal, inappropriate, or inconsistent with the intent or requirements of the program, or
  - (4) Misrepresents or makes false statements in the vendor application.
- (b) The vendor may appeal the revocation in accordance with Health and Safety Code Section 1551.
- (c) Any application for approval of an Initial Certification Training Program submitted by a vendor applicant whose approval has been previously revoked shall be processed by the Department in accordance with the provisions of Health and Safety Code Section 1520.3.

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Health and Safety Code Section 1520.3(a)(1) reads in pertinent part:

(a)(1) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant previously was issued a license under this chapter or under Chapter 1 (commencing with Section 1200), Chapter 2 (commencing with Section 1250), Chapter 3.01 (commencing with Section 1568.01), Chapter 3.3 (commencing with Section 1569), Chapter 3.4 (commencing with Section 1596.70), Chapter 3.5 (commencing with Section 1596.90), or Chapter 3.6 (commencing with Section 1597.30) and the prior license was revoked within the preceding two years, the department shall cease any further review of the application until two years have elapsed from the date of the revocation. The cessation of review shall not constitute a denial of the application for purposes of Section 1526 or for any other provision of law.

...

(a)(3) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant was excluded from a facility licensed by the department pursuant to Sections 1558, 1568.092, 1569.58, or 1596.8897, the department shall cease any further review of the application unless the excluded individual has been reinstated pursuant to Section 11522 of the Government Code by the department.

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NOTE: Authority cited: Sections 1530 and 1562.3(i), Health and Safety Code. Reference: Sections 1520.3, 1551, and 1562.3, Health and Safety Code.

**85091 CONTINUING EDUCATION TRAINING PROGRAM  
VENDOR REQUIREMENTS****85091**

- (a) Any vendor applicant seeking approval as a vendor of a Continuing Education Training Program shall obtain vendor approval by the Department prior to offering any course to certificate holders.
- (b) Any vendor applicant seeking approval to become a vendor of a Continuing Education Training Program shall submit a written request to the Department using the Initial Vendor Application form, LIC 9141, or a replica. The request shall be signed under penalty of perjury and contain the following:
  - (1) Name, address and phone number of the vendor applicant requesting approval and the name of the person in charge of the Program.
  - (2) A statement of whether or not the vendor applicant held or currently holds a license, certification or other approval as a professional in a specified field and the license or certificate number.
  - (3) A statement of whether or not the vendor applicant held or currently holds a community care facility license or was or is employed by a licensed community care facility and the license number.
  - (4) A statement of whether or not the vendor applicant was the subject of any administrative, legal or other action involving licensure, certification or other approvals as specified in Section 85091(b)(2) and (3) above.
  - (5) A processing fee of one hundred dollars (\$100).
- (c) Continuing Education Training Program vendor approval shall expire two (2) years from the date the vendorship is approved by the Department.
- (d) A written request for renewal of the Continuing Education Training Program shall be submitted to the Department using the Renewal Vendor Application form, LIC 9141, or a replica, and shall contain the information and processing fee specified in Section 85091(b) above.
- (e) If a request for approval or renewal of a Continuing Education Training Program is incomplete, the Department shall, within thirty (30) days of receipt, give written notice to the vendor applicant that:
  - (1) The request is deficient, describing which documents or information are outstanding and/or inadequate and informing the vendor applicant that the information must be submitted within thirty (30) days of the date of the notice.
- (f) If the vendor applicant does not submit the requested information above within thirty (30) days, the request for approval or renewal shall be deemed withdrawn, provided that the Department has not denied or taken action to deny the request.



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VENDOR REQUIREMENTS (Continued)****85091**

- (g) Within thirty (30) days of receipt of a complete request for an approval or renewal, the Department shall notify the vendor applicant in writing whether the request has been approved or denied.
- (h) Continuing Education Training Program vendors shall:
  - (1) Maintain and ensure that written records are available for review by Department representatives. Records shall be maintained for three (3) years. The records shall include the following:
    - (A) Course schedules, dates and descriptions.
    - (B) List of instructors and documentation of qualifications of each, as specified in Section 85091(h)(2) below.
    - (C) Names of registered participants and documentation of completion of the courses.
    - (D) Evaluations by participants of courses and instructors.
  - (2) Have instructors who have knowledge and/or experience in the subject area to be taught and who meet at least one of the following criteria:
    - (A) Possession of a four (4) year college degree and two (2) years experience relevant to the course(s) to be taught, or
    - (B) Four (4) years experience relevant to the course to be taught, or
    - (C) Be a professional, in a related field, with a valid license to practice in California, or
    - (D) Have at least four (4) years experience in California as an administrator of an adult residential facility, within the last eight (8) years, and with a record of administering facilities in substantial compliance as defined in Section 80001s. (6).
- (i) Courses approved for continuing education credit shall require the physical presence of the certificate holder in a classroom setting, except that:
  - (1) The Department may approve courses where technology permits the simultaneous and interactive participation of the certificate holder, provided that such participation is verifiable.
- (j) Any changes to courses previously approved by the Department must be submitted and approved by the Department prior to being offered.
- (k) Continuing Education Training Program vendors shall allow Department representatives to monitor and inspect Training Programs.

**85091 CONTINUING EDUCATION TRAINING PROGRAM  
VENDOR REQUIREMENTS (Continued)****85091**

- (l) Continuing Education Training Program vendors who teach courses that the Department has approved for more than one program type (ARF, RCFE, GH), may provide "multiple crediting," that is, more than one certification for the course, to those who complete the course satisfactorily.
- (m) Continuing Education Training Program vendors that the Department has approved for more than one program type (ARF, RCFE, GH), may "co-locate" or instruct specified courses for more than one program type.
- (n) Continuing Education Training Program vendors who are also certificate holders shall not be permitted to receive credit for attending the vendor's own Continuing Education Training Program courses.

NOTE: Authority cited: Sections 1530 and 1562.3(i), Health and Safety Code. Reference: Section 1562.3, Health and Safety Code.

**85091.1 CONTINUING EDUCATION TRAINING PROGRAM  
COURSE APPROVAL REQUIREMENTS****85091.1**

- (a) Any Continuing Education Training Program course shall be approved by the Department prior to being offered to certificate holders.
  - (1) At the sole discretion of the Department, continuing education credit may be granted for training provided by the Department's licensing staff.
- (b) Any vendor seeking approval of a Continuing Education Training Program course shall submit a written request to the Department using the Request for Course Approval form, LIC 9140, or a replica. The request shall be signed under penalty of perjury and contain the following:
  - (1) Subject title, classroom hours, scheduled dates, duration, time, location, and proposed instructor of each course.
  - (2) Written description and educational objectives for each course, teaching methods, course content and a description of evaluation methods.
  - (3) Qualifications of each proposed instructor, as specified in Section 85091(h)(2).
  - (4) Types of records to be maintained, as required by Section 85091(h)(1).
  - (5) A statement of whether or not the proposed instructor held or currently holds a license, certification, or other approval as a professional in a specified field and the license or certificate number.

<b>85091.1</b>	<b>CONTINUING EDUCATION TRAINING PROGRAM COURSE APPROVAL REQUIREMENTS (Continued)</b>	<b>85091.1</b>
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- (6) A statement of whether or not the proposed instructor held or currently holds a community care facility license or was or is employed by a licensed community care facility and the license number.
- (7) A statement of whether or not the proposed instructor was the subject of any administrative, legal, or other action involving licensure, certification or other approvals as specified in Sections 85091.1(b)(5) and (6) above.
- (c) Course approval shall expire on the expiration date of the vendor's Continuing Education Training Program vendorship approval, as provided in Section 85091(c).
- (1) To renew a course, the vendor shall submit a written request to the Department, using the Renewal of Continuing Education Course Approval form, LIC 9139, or a replica.
- (d) If a request for approval or renewal of a Continuing Education Training Program course is incomplete, the Department shall, within thirty (30) days of receipt, give written notice to the vendor that:
  - (1) The request is deficient, describing which documents or information are outstanding and/or inadequate and informing the vendor applicant that the information must be submitted within thirty (30) days of the date of the notice.
- (e) If the vendor applicant does not submit the requested information within thirty (30) days, the request for approval or renewal shall be deemed withdrawn, provided that the Department has not denied or taken action to deny the request.
- (f) Within thirty (30) days of receipt of a complete request for an approval or renewal, the Department shall notify the vendor applicant in writing whether the course has been approved or denied.
- (g) Any changes to previously approved courses must be submitted to the Department for approval prior to being offered, and the request for the change shall contain the information specified in Section 85091.1(b).
- (h) Continuing Education Training Program vendors shall allow Department representatives to monitor and inspect training courses.

NOTE: Authority cited: Sections 1530 and 1562.3(i), Health and Safety Code. Reference: Section 1562.3, Health and Safety Code.

**85091.2 ADMINISTRATIVE REVIEW OF DENIAL OR REVOCATION  
OF A CONTINUING EDUCATION COURSE****85091.2**

- (a) A vendor may seek administrative review of the denial or revocation of course approval as follows:
- (1) The vendor must request an administrative review in writing, within ten (10) days of receipt of the Department's notice denying or revoking course approval.
  - (2) The administrative review shall be conducted by a higher-level staff person than the person who denied or revoked course approval.
  - (3) If the reviewer determines that the denial or revocation of course approval was not issued in accordance with applicable statutes and regulations of the Department, or that other circumstances existed, that would have led to a different decision, he/she shall have the authority to affirm, amend or reverse the denial or revocation of course approval.
    - (A) The Department shall give written notice of its decision within 10 working days.
  - (4) The decision of the higher-level staff person shall be final.

NOTE: Authority cited: Sections 1530 and 1562.3(i), Health and Safety Code. Reference: Section 1562.3, Health and Safety Code.

**85091.3 DENIAL OF A REQUEST FOR APPROVAL OF A  
CONTINUING EDUCATION TRAINING PROGRAM****85091.3**

- (a) The Department may deny a request for approval of a Continuing Education Training Program in accordance with Health and Safety Code Section 1562.3(h)(1). The Department shall provide the applicant with a written notice of the denial.

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Health and Safety Code Section 1562.3(h)(1) reads in pertinent part:

(h)(1) ...The department may deny vendor approval to any agency or person in any of the following circumstances:

(A) The applicant has not provided the department with evidence satisfactory to the department of the ability of the applicant to satisfy the requirements of vendorization set out in the regulations...

(B) The applicant person or agency has a conflict of interest in that the person or agency places its clients in adult residential facilities.

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**85091.3 DENIAL OF A REQUEST FOR APPROVAL OF A  
CONTINUING EDUCATION TRAINING PROGRAM (Continued)**

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(C) The applicant public or private agency has a conflict of interest in that the agency is mandated to place clients in adult residential facilities and to pay directly for the services. The department may deny vendorization to this type of agency only as long as there are other vendor programs available to conduct the certification training programs and conduct education courses.

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- (b) The vendor applicant may appeal the denial in accordance with Health and Safety Code Section 1551.
- (c) Any request for approval submitted by a vendor applicant whose application has been previously denied shall be processed by the Department in accordance with the provisions of Health and Safety Code Section 1520.3(b).

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Health and Safety Code Section 1520.3(b) reads in pertinent part:

(b) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant had previously applied for a license under any of the chapters listed in paragraph (1) of subdivision (a) and the application was denied within the last year, the department shall cease further review of the application as follows:

(1) In cases where the applicant petitioned for a hearing, the department shall cease further review of the application until one year has elapsed from the effective date of the decision and order of the department upholding a denial.

(2) In cases where the department informed the applicant of his or her right to petition for a hearing and the applicant did not petition for a hearing, the department shall cease further review of the application until one year has elapsed from the date of the notification of the denial and the right to petition for a hearing.

(3) The department may continue to review the application if it has determined that the reasons for the denial of the applications were due to circumstances and conditions, which either have been corrected or are no longer in existence.

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NOTE: Authority cited: Sections 1530 and 1562.3(i), Health and Safety Code. Reference: Sections 1551 and 1562.3, Health and Safety Code.

**85091.4 REVOCATION OF A CONTINUING EDUCATION  
TRAINING PROGRAM****85091.4**

- (a) The Department may revoke a Continuing Education Training Program approval and remove the vendor from the list of approved vendors if the vendor does not provide training consistent with Sections 85091 and 85091.1, or:
- (1) Is unable to provide training due to lack of staff, funds or resources; or
  - (2) Misrepresents or makes false claims regarding the training provided; or
  - (3) Demonstrates conduct in the administration of the program that is illegal, inappropriate, or inconsistent with the intent of the program; or
  - (4) Misrepresents or makes false statements in the vendor application.
- (b) The vendor may appeal the revocation in accordance with Health and Safety Code Section 1551.
- (c) Any application for approval of an Continuing Education Training Program submitted by a vendor applicant whose approval has been previously revoked shall be processed by the Department in accordance with the provisions of Health and Safety Code Section 1520.3.

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Health and Safety Code Section 1520.3(a)(1) reads in pertinent part:

(a)(1) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant previously was issued a license under this chapter or under Chapter 1 (commencing with Section 1200), Chapter 2 (commencing with Section 1250), Chapter 3.01 (commencing with Section 1568.01), Chapter 3.3 (commencing with Section 1569), Chapter 3.4 (commencing with Section 1596.70), Chapter 3.5 (commencing with Section 1596.90), or Chapter 3.6 (commencing with Section 1597.30) and the prior license was revoked within the preceding two years, the department shall cease any further review of the application until two years have elapsed from the date of the revocation. The cessation of review shall not constitute a denial of the application for purposes of Section 1526 or for any other provision of law...

(a)(3) If an application for a license or special permit indicates, or the department determines during the application review process, that the applicant was excluded from a facility licensed by the department pursuant to Section 1558, 1568.092, 1569.58, or 1596.8897, the department shall cease any further review of the application unless the excluded individual has been reinstated pursuant to Section 11522 of the Government Code by the department.

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NOTE: Authority cited: Sections 1550 and 1562.3(i), Health and Safety Code. Reference: Sections 1520.3, 1562.3, and 1551, Health and Safety Code.

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